

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E/S Pineland Court, 234' S		
Old Court Road	*	DEPUTY ZONING COMMISSIONER
2nd Election District		
2nd Councilmanic District	*	OF BALTIMORE COUNTY
(7 Pineland Court)		
	*	CASE NO. 02-190-A
James & Myrtle Moultrie		
Petitioners	*	

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, James and Myrtle Moultrie. The variance request is for property located at 7 Pineland Court, in the Pikesville area of Baltimore County. The variance request is from Section 1B02.3B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (sunroom) with a rear yard setback of 23 ft. in lieu of the required 30 ft. and to amend the Final Development Plan known as "Pineland", Lot 7. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

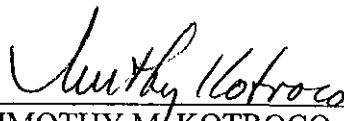
ORDER REQUESTED FOR FILING

Date 12/10/01  
 By R. J. [Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10<sup>th</sup> day of December, 2001, that a variance from Section 1B02.3B of the Baltimore County Zoning Regulations, to permit an addition (sunroom) with a rear yard setback of 23 ft. in lieu of the required 30 ft. and to amend the Final Development Plan known as "Pineland", Lot 7, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
\_\_\_\_\_  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

12/10/01  
By R. Jensen



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

December 10, 2001

Mr. & Mrs. James Moultrie  
7 Pineland Court  
Pikesville, Maryland 21208

Re: Petition for Administrative Variance  
Case No. 02-190-A  
Property: 7 Pineland Court

Dear Mr. & Mrs. Moultrie:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7 Pineland Ct.  
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3B (BCZR)

TO PERMIT AN ADDITION (SUNROOM) WITH A REAR YARD  
SETBACK OF 23 FEET IN LIEU OF THE REQUIRED 30 FEET. AND  
TO AMEND THE FINAL DEVELOPMENT PLAN KNOWN AS "PINELAND" LOT 7.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee.

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Attorney For Petitioner:

Name - Type or Print \_\_\_\_\_ City \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Legal Owner(s):

James Moultrie  
Name - Type or Print \_\_\_\_\_  
Signature James Moultrie \_\_\_\_\_  
Myrtle Moultrie  
Name - Type or Print \_\_\_\_\_  
Signature Myrtle Moultrie \_\_\_\_\_

7 Pineland Ct. 410-655-6157  
Address Telephone No.  
Pikesville, MD 21208  
State Zip Code

## Representative to be Contacted:

Gregory A. Falter (agent)  
Name \_\_\_\_\_  
224 8th ave NW Glen Burnie MD 21061 410-760-9322  
Address Telephone No.  
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

\_\_\_\_\_  
Zoning Commissioner of Baltimore County

CASE NO. 02-190-A

Reviewed By D.T. Date 11/8/01

Estimated Posting Date 11/18/01

ORDER RECEIVED FOR FILING  
Date 12/10/01  
By R. C. [Signature]

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7 Pineland Ct.

Address

Pikesville, MD 21208

City

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce road noise.
4. A place to sit out and not be concerned with the weather, bugs: mosquitos, flies etc...
5. Improve the apperance of the house
6. The restrictive area of the lot does not lend itself to any addition of pratical size without requiring a variance.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

James Moultrie

Name - Type or Print

Signature

Myrtle Moultrie

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of DECEMBER, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JAMES MOULTRIE AND MYRTLE MOULTRIE

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Date

10/31/01

Notary Public

My Commission Expires

11/1/2005

***ZONING DESCRIPTION FOR 7 Pineland Ct.***

***BEGINNING AT A POINT ON THE EAST SIDE OF PINELAND CT.  
WHICH IS 30' WIDE AT THE DISTANCE OF 243' SOUTH OF THE  
NEAREST IMPROVED INTERSECTING STREET OLD COURT RD.  
WHICH IS 30' WIDE. BEING LOT # 7 BLOCK -, SECTION - IN THE  
SUBDIVISION OF PINELAND AS RECORDED N COUNTY PLAT  
BOOK # 71, FOLIO # 16, CONTAINING 9,247 SQ'. ALSO KNOWN AS  
7 PINELAND CT. LOCATED IN THE 2ND ELECTION DISTRICT,  
2ND COUNCILMANIC DISTRICT.***

07532

11/8/01

R0010066150

100.<sup>00</sup>

GREGORY A. FALTER

ADM VAR + AMEND. FDP ITEM # 190

1 PINELAND CT., 21208 TAKEN IN BY D.T.

PAID RECEIPT

PAYMENT ACTUAL TIME  
11/08/2001 11/08/2001 10:12:49

REG 4584 CASHIER DDOL DAD DRAWER 2  
RECEIPT # 163783 OFLN  
Dept 5 528 ZONING VERIFICATION  
CR NO. 007874

Recpt Tot 100.00  
100.00 OK .00 BA  
Baltimore County, Maryland

# CERTIFICATE OF POSTING

RE: Case No.: 02-190-A

Petitioner/Developer: \_\_\_\_\_  
PATIO ENCLOSURES FOR  
JAMES & MYRTLE MOULTRE

Date of Hearing/Closing: DEC. 3, 2001

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at # 7 PINELAND COURT

The sign(s) were posted on Nov. 15, 2001  
(Month, Day, Year)

Sincerely,

Garland E. Moore  
(Signature of Sign Poster and Date)

GARLAND E. MOORE  
(Printed Name)

3225 RYERSON CIRCLE  
(Address)

BALTIMORE, MD. 21227  
(City, State, Zip Code)

(410) 242-4263  
(Telephone Number)



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

---

**For Newspaper Advertising:**

Item Number or Case Number: 02-190-A  
Petitioner: JAMES + MYRTLE MOULTRIE  
Address or Location: 7 Pineland ct, Pikesville MD. 21208

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Patio Enclosures Inc.  
Address: 224 8th Ave. NW  
Glen Burnie MD 21061  
  
Telephone Number: 410-760-9322 x25

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 190 -AAddress 7 PINELAND CT., 21208Contact Person: DONNA THOMPSON  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11/08/01Posting Date: 11/18/01Closing Date: 12/03/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

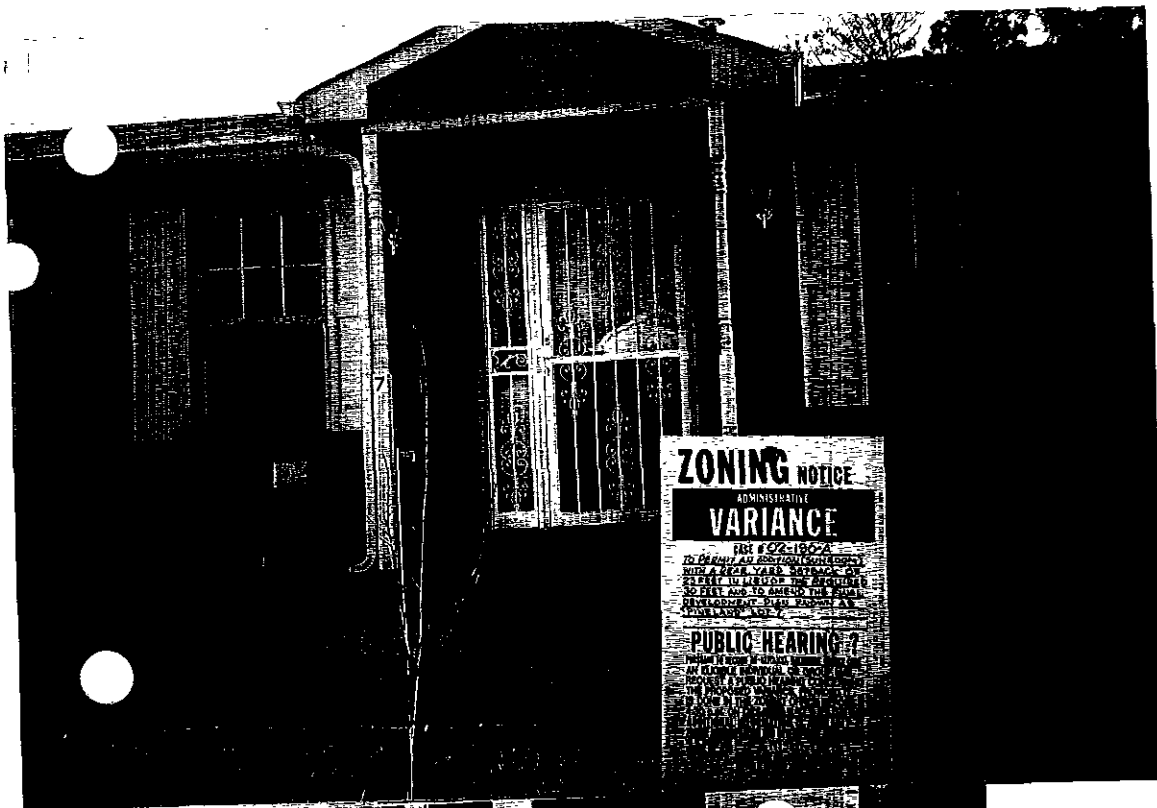
1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMATCase Number 02- 190 -AAddress 7 PINELAND CT., 21208Petitioner's Name JAMES & MYRTLE MOULTRIETelephone 410-655-6157Posting Date: 11/18/01Closing Date: 12/03/01

Wording for Sign: TO PERMIT AN ADDITION (SUNROOM) WITH A REAR YARD SETBACK  
OF 23 FEET IN LIEU OF THE REQUIRED 30 FEET AND TO AMEND THE  
FINAL DEVELOPMENT PLAN KNOWN AS "PINELAND" LOT 7.



## ZONING NOTICE

### ADMINISTRATIVE VARIANCE

CASE # 02-190-A

TO PERMIT AN ADDITION (SUNROOM)  
WITH A REAR YARD SETBACK OF  
23 FEET IN LIEU OF THE REQUIRED  
30 FEET AND TO AMEND THE FINAL  
DEVELOPMENT PLAN KNOWN AS  
"PINELAND" LOT 7

### PUBLIC HEARING ?

ANY PERSON WHOSE PROPERTY IS  
AFFECTED BY A ZONING VARIANCE  
MAY REQUEST A PUBLIC HEARING  
ON THE MATTER.

## ZONING NOTICE

### ADMINISTRATIVE

### VARIANCE

CASE # 02-190-A

TO PERMIT AN ADDITION (SUNROOM)  
WITH A REAR YARD SETBACK OF  
23 FEET IN LIEU OF THE REQUIRED  
30 FEET AND TO AMEND THE FINAL  
DEVELOPMENT PLAN KNOWN AS  
"PINELAND" LOT 7

### PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(6)(1) OF BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL OR GROUP MAY  
REQUEST A PUBLIC HEARING CONCERNING  
THE PROPOSED VARIANCE PROVIDED IT  
IS DONE IN THE ZONING OFFICE BEFORE  
4:30 P.M. ON FEBRUARY 28, 2002.

ADDITIONAL INFORMATION AVAILABLE AT  
THE ZONING OFFICE, 10000 GREENBELT RD.,  
GREENBELT, MD 21040-4000  
TELEPHONE: 410-326-7200

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development Mgmt. **DATE:** December 26, 2001

**FROM:** *RWB* Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For December 10, 2001  
Item Nos. 176, 177, 178, 179, 181, 184,  
185, 186, 187, 188, 189, 193, ~~190~~, 191,  
193, 194, 195, 196, 197, 198, 199, and  
223

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

December 12, 2001

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 3, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187,  
188, ~~189~~, 191, 192, 193, 195, 198, 199, 223

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

*12/3/01 AV  
GRANTED 12/10/01*

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** December 19, 2001

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-190

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

*Mark A. Cunningham*

Section Chief:

*Jeffrey W. Long*

AFK/JL:MAC



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 12.11.01

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 100

DT

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

*for* Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

# Plat to accompany petition for Zoning X Variance

## Special Hearing

PROPERTY ADDRESS: 7 PINELAND CT.

Subdivision name: PINELAND

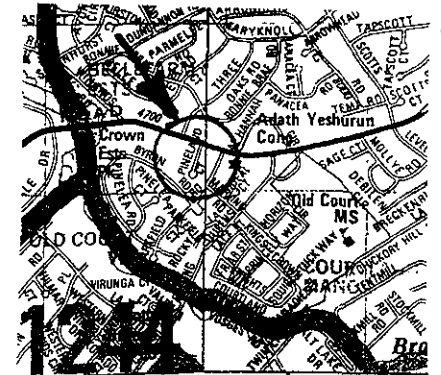
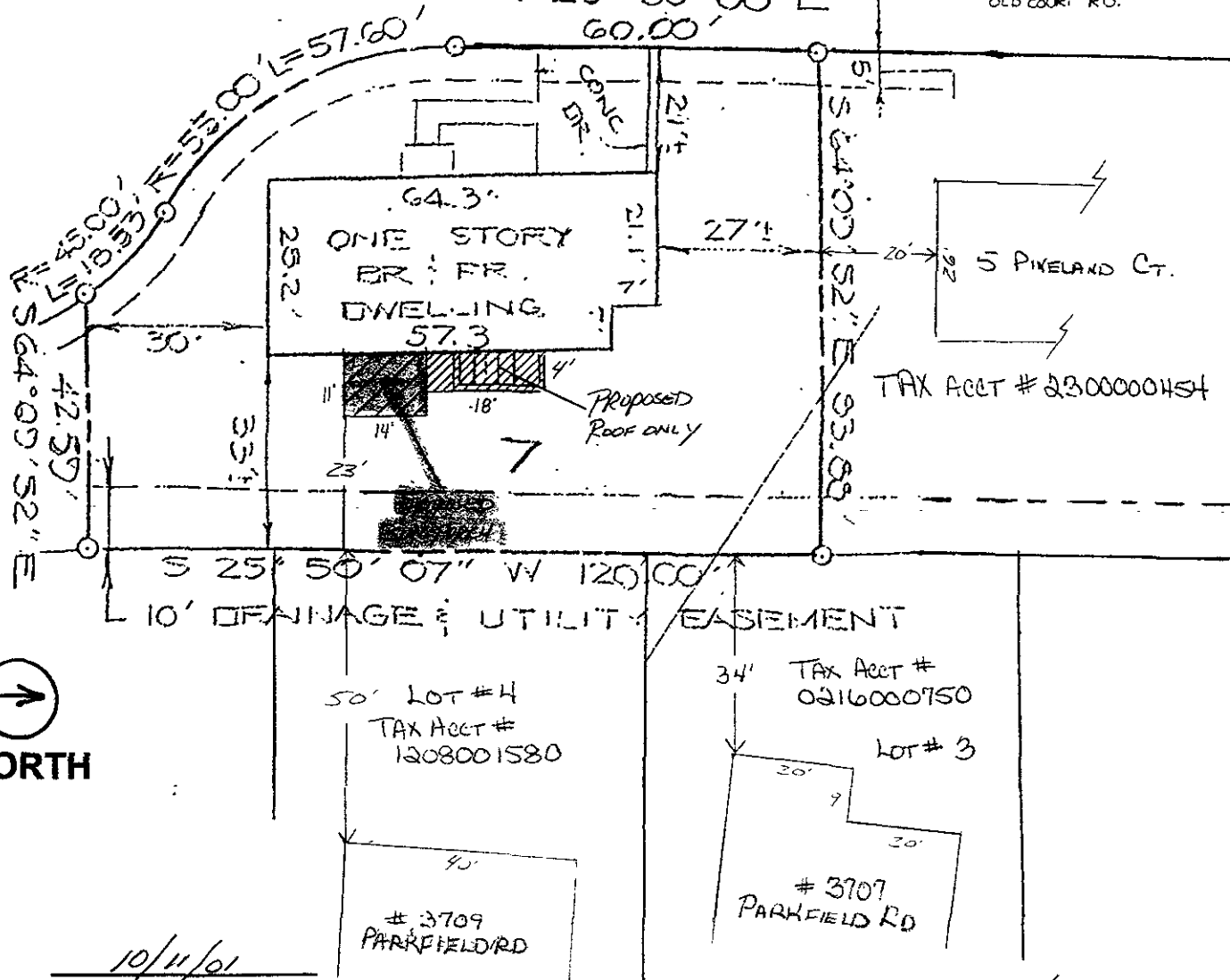
plat book # 71, folio # 16, lot # 7, section #     

OWNER: JAMES & MYRTLE MOULTRIE

PINELAND  
CT. (40' R/W)

243' →  
TO E OF  
OLD COURT RD.

N 25° 50' 08" E  
60.00'



Vicinity Map  
scale 1" = 2,273'



### LOCATION INFORMATION

Election District: OZ

Councilmanic District: OZ

1" = 200' scale map # NW 7-G

Zoning: DR 5.5

Lot size: .212 9,247  
acorage sq. feet

PUB. PRIV.

SEWER: X

WATER: X

CBCA: NO

Prior Zoning Hearings: NONE

### Zoning Office Use

reviewed by: Item # Case

D.T.

190

02-190-A

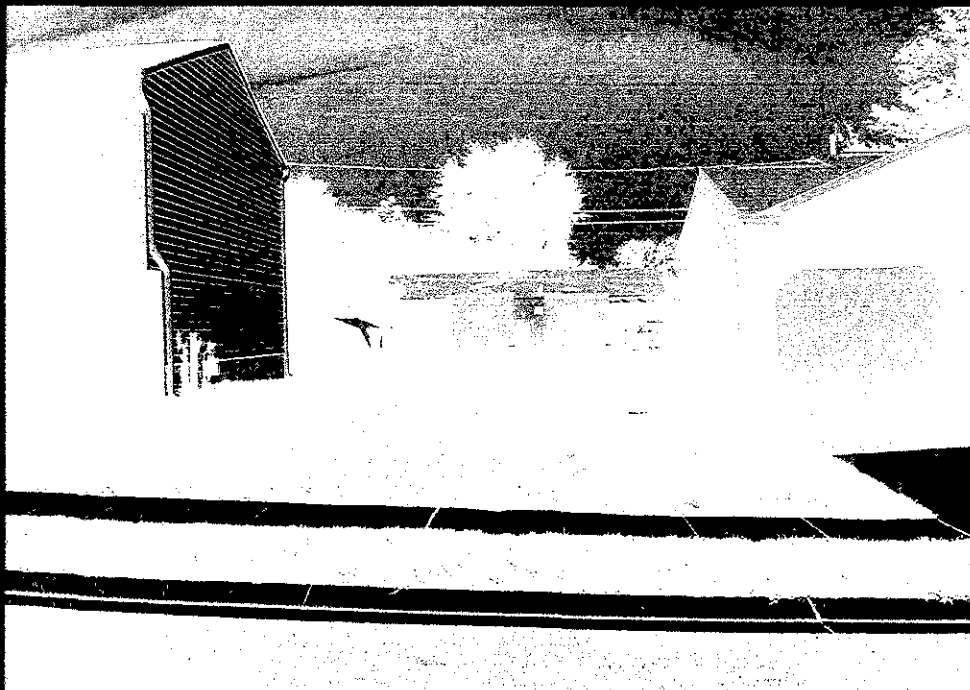
NORTH

prepared by Gregory A. Falter

Scale of Drawing 1" = 30'

10/11/01





LEFT SIDE OF HOME AS SEEN FROM FRONT.



REAR OF HOME



RIGHT SIDE OF HOME AS SEEN FROM FRONT.



REAR OF HOME.

02-190-A FOR 7 PINELAND CT.

